

1797 RECEIVED PTO 11 MAY 2005

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 5, 2004

Signature: Shari Jackson  
(Shari Jackson)

Docket No.: GFI/103  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Strauss et al.

Application No.: 10/541,901

Confirmation No.: 8330

Filed: July 11, 2005

Art Unit: Not Yet Assigned

For: **STEROID RECEPTOR MODULATION OF  
GENE EXPRESSION**

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this

Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-1075, under Order No. GFI/103. A duplicate copy of this paper is enclosed.

Dated: May 5, 2006

Respectfully submitted,

By   
Gloria Fuentes

Registration No.: 47,580  
ROPES & GRAY LLP  
1251 Avenue of the Americas  
New York, New York 10020-1105  
(212) 596-9337  
(212) 596-9090 (Fax)  
Attorneys/Agents For Applicant

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/541,901	
			Filing Date	July 11, 2005	
			First Named Inventor	Joseph Strauss	
			Art Unit	Not Yet Assigned	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	3	Attorney Docket Number	GFI/103

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-5,817,503	10/06/1998	Chambon et al.	
	AB	US-4,859,609	08/22/1989	Dull et al.	
	AC	US-5,216,126	06/01/1993	Cox et al.	
	AD	US-6,159,705	12/12/2000	Trueheart et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
	BA	EP078378 A2	09-09-1982	Wurmli		
	BB	WO 02/00879	01-03-2002	Gerngross		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T <sup>2</sup>
	CA	Beato, "Gene regulation by steroid hormones", <i>Cell</i> , 56(3):335-344 (1989)				
	CB	Berka et al., "A DNA vector system for the integration and amplification of heterologous DNA into dispersed chromosomal locations in the yeast, <i>Saccharomyces Cerevisiae</i> , genome", <i>Abstr. Papers Amer. Chem. Soc.</i> , 203:121-BIOT (1992)				
	CC	Bocquel et al., "The contribution of the N- and C-terminal regions of steroid receptors to activation of transcription is both receptor and cell-specific", <i>Nucl. Acid Res.</i> 17:2581-2595 (1989)				
	CD	Cereghino et al., "Heterologous protein expression in the methylotrophic yeast <i>Pichia pastoris</i> ", <i>FEMS Microbiology Reviews</i> , 24(1):45-66 (2000)				
	CE	Cernila et al., "Isolation, partial length sequence and expression of steroid inducible hps 70 gene from <i>Rhizopus nigricans</i> ", <i>Pfluegers Archiv European Journal of Physiology</i> , 439(3):R97-R99 (2000).				
	CF	Cosano et al., "Cloning and sequence analysis of the <i>Pichia pastoris</i> TRP1, IPP1 and HIS3 genes", <i>Yeast</i> , 14(9):861-867 (1998)				
	CG	Evans, "The steroid and thyroid hormone receptor superfamily", <i>Science</i> 240:889 - 895 (1988)				
	CH	Fuller, "The steroid receptor superfamily: mechanisms of diversity", <i>FASEB J.</i> , 5:3092-3099 (1991)				
	CI	Giguere et al., "Functional domains of the human glucocorticoid receptor", <i>Cell</i> 46:645-652 (1986)				
	CJ	Gomez et al., "Multiple GATA sites: protein binding and physiological relevance for				
Examiner Signature				Date Considered		

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete If Known</b>	
				Application Number	10/541,901
				Filing Date	July 11, 2005
				First Named Inventor	Joseph Strauss
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	2	of	3	Attorney Docket Number	GFI/103

		the regulation of the proline transporter gene of <i>Aspergillus nidulans</i> ", <i>Mol Microbiol.</i> , 50(1):277-89 (2003)	
	CK	Green et al., "Oestradiol induction of a glucocorticoid-responsive gene by a chimaeric receptor", <i>Nature</i> , 325:75-78 (1987)	
	CL	Gwynne et al., "Comparison of the cis-acting control regions of two coordinately controlled genes involved in ethanol utilization in <i>Aspergillus nidulans</i> ", <i>Gene</i> , 51:205-216 (1987)	
	CM	Harkki et al., "A novel fungal expression system: secretion of active calf chymosin from the filamentous fungus <i>Trichoderma Reesei</i> ", <i>Bio-Technology</i> , 7(6):596 (1989)	
	CN	Klein-Hitpass et al., "A 13 bp palindrome is a functional estrogen responsive element and interacts specifically with estrogen receptor", <i>Nucleic Acids Res.</i> , 16(2):647-63 (1988)	
	CO	Magasanik et al., "Nitrogen regulation in <i>Saccharomyces cerevisiae</i> ", <i>Gene</i> , 290:1-18 (2002)	
	CP	Mangelsdorf et al., "The nuclear receptor superfamily: the second decade", <i>Cell</i> , 83:835-839 (1995)	
	CQ	Martinez et al., <i>Nuclear Hormone Receptors</i> , Acad. Press, 125-153 (1991)	
	CR	Narendja et al., "Nitrate and the GATA factor AreA are necessary for in vivo binding of NirA, the pathway-specific transcriptional activator of <i>Aspergillus nidulans</i> ", <i>Molecular Microbiology</i> , 44(2):573-583 (2002)	
	CS	Nett et al., "Cloning and disruption of the PpURA5 gene and construction of a set of integration vectors for the stable genetic modification of <i>Pichia pastoris</i> ", <i>Yeast</i> , 20(15):1279-1290 (2003)	
	CT	Patient et al., "The GATA family (vertebrates and invertebrates)", <i>Curr. Opin. Genet. Dev.</i> , 12(4):416-422 (2002)	
	CU	Pierrat et al., "Functional analysis of the human estrogen receptor using a phenotypic transactivation assay in yeast", <i>Gene</i> , 119(2):237-45 (1992).	
	CV	Pontecorvo et al., "The for the analysis of expression signals in <i>Aspergillus nidulans</i> ", <i>Adv. Genet.</i> , 5:141-238 (1953)	
	CW	Punt et al., "The intergenic region between the divergently transcribed <i>niiA</i> and <i>niaD</i> genes of <i>Aspergillus nidulans</i> contains multiple NirA binding sites which act bidirectionally", <i>Mol. Cell. Biol.</i> , 15:5688-5699 (1995)	
	CX	Scazzocchio et al., Regulation of nitrate assimilation in <i>Aspergillus nidulans</i> ; Molecular and Genetic Aspects of Nitrate Assimilation, Wray, J.L. and Kinghor, J.R. (eds.), Oxford: Oxford Science Publications, 299-313 (1989)	
	CY	Scazzocchio, "The fungal GATA factors", <i>Curr. Opin. Microbiol.</i> , 3:126-131 (2000)	
	CZ	Svetina et al., "Expression of catalytic subunit of bovine enterokinase in the filamentous fungus <i>Aspergillus niger</i> ", <i>J. Biotechnol.</i> , 76(2-3):245-251 (1992)	
	CA1	Tora et al., "The human estrogen receptor has two independent nonacidic transcriptional activation functions" <i>Cell</i> 59:477-487 (1989)	
	CB1	Wilson et al., "Mutational analysis of AREA, a transcriptional activator mediating nitrogen metabolite repression in <i>Aspergillus nidulans</i> and a member of the "streetwise" GATA family of transcription factors", <i>Microbiol. Mol. Biol. Rev.</i> , 62:586-596 (1998)	
	CC1	Van Gorcom et al., "A system for the analysis of expression signals in <i>Aspergillus</i> ", <i>Gene</i> , 48:211-217 (1986)	
Examiner Signature		Date Considered	

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				Application Number	10/541,901
				Filing Date	July 11, 2005
				First Named Inventor	Joseph Strauss
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	3	of	3	Attorney Docket Number	GFI/103

	CD1	Voisard et al., "urbs1, a gene regulating siderophore biosynthesis in Ustilago maydis, encodes a protein similar to the erythroid transcription factor GATA-1", <i>Mol. Cell. Biol.</i> , 13:7091-7100 (1993).	
--	-----	--	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--